

Amendment No. 1 to SB2355

McNally  
Signature of Sponsor

AMEND Senate Bill No. 2355\*

House Bill No. 2392

**Transfer to General Fund from Debt Service Fund**

By inserting in Section 43, Item 4 of the printed bill at the end of the item a new sentence to read:

The transfer from the debt service fund shall include \$27,800,000 of the unexpended balance of the appropriations made in Section 3 of Chapter 5, Public Acts of 2009.

**Debt Service Fund Reductions**

AND FURTHER AMEND by deleting in its entirety Item 4 in Section 1, Title III-31 of the printed bill, and by substituting instead:

4. Amortization of Authorized and Unissued Construction Bonds	145,818,000.00
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and by deleting:

Total Title III-31	\$429,985,000.00
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and substituting instead:

Total Title III-31	\$427,185,000.00
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**Improvement Reductions**

AND FURTHER AMEND the printed bill by adding the following Section between Sections 59 and 60 of the printed bill and by renumbering Sections accordingly.

SECTION \_\_\_\_\_. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting improvement appropriations and positions that had been recommended in the 2009-2010 Budget Document, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item 1. The appropriation in Section 4, Title III-1, Treasury Department, hereby is reduced in the amount of \$222,500 for the purpose of deleting two improvement positions.

Item 2. The appropriation in Section 1, Title III-9, Education – BEP and Other LEA Support, is reduced in the amount of \$2,000,000 for full funding of the BEP.

Item 3. The appropriation in Section 1, Title III-2, Commission on Aging and Disability, is reduced in the amount of \$17,600 (non-recurring) for reduced state match on an elderly nutrition grant.

AND FURTHER AMEND in Section 38 of the printed bill by deleting the words and figures:

“2. Commission on Aging and Disability      \$76,900.00”

and substituting instead the words and figures:

“2. Commission on Aging and Disability      \$58,000.00”

### **Capital Outlay**

AND FURTHER AMEND by deleting in its entirety Item 2 in Section 58 of the printed bill, and by substituting instead a new Item 2 to read:

Item 2. Subject to the enactment of Senate Bill No. 2358/House Bill No. 2390, the general obligation bond authorization recommended in the 2009-2010 Budget Document, it is the legislative intent to delay or cancel certain capital outlay projects previously appropriated capital outlay current funds in the amount of \$21,900,000.00. The Commissioner of Finance and Administration is directed to reduce the allotment of appropriations from current funds in the capital projects fund according to the following schedule:

1. Department of Correction .....	\$ 2,220,700.00
2. Department of Children’s Services.....	436,300.00
3. Department of Education .....	203,200.00
4. Department of Environment and Conservation .....	4,956,600.00
5. Department of Finance and Administration .....	11,061,000.00
6. Department of Mental Health and Developmental Disabilities.....	313,700.00
7. Department of Finance and Administration – Mental Retardation .....	380,000.00
8. Department of Military.....	1,379,300.00
9. Tennessee Board of Regents .....	818,300.00
10. University of Tennessee .....	130,900.00
TOTAL .....	\$21,900,000.00

There is hereby transferred the sum of \$21,900,000.00 from the capital projects fund to general fund in the fiscal year ending June 30, 2009.

### **Base Reductions**

AND FURTHER AMEND by inserting the following between Sections 59 and 60 of the printed bill and by renumbering the subsequent Sections accordingly:

SECTION \_\_\_\_\_. The appropriations in Section 1 of this act hereby are reduced in the following amounts for the purpose of accelerating base budget reductions by deleting or reducing non-recurring appropriations that had been recommended in the 2009-2010 Budget Document and identified in Volume 2 of the Budget, Base Budget Reductions, as non-recurring appropriation restorations. Such non-recurring appropriations, identified herein by reduction item number as listed in the Volume 2 cited above, hereby are reduced in the following amounts, and the Commissioner of Finance and Administration shall adjust federal and other departmental revenue estimates accordingly:

Item 1. District Attorneys General, reduction number 1, Training, District Attorneys General Conference, \$85,000.

Item 2. District Public Defenders Conference:

(a) Reduction number 1, Increase in Partial Indigency Fee Revenue, District Public Defenders, \$235,000 appropriation reduction, and the commissioner shall increase the departmental revenue estimate by \$235,000.

(b) Reduction number 3, Disconnect Phone Lines, District Public Defenders, \$30,000.

Item 3. Department of Finance and Administration, reduction number 2, Grants, Criminal Justice Programs, \$310,000.

Item 4. Department of Human Resources:

(a) Reduction number 3, On-Line Submission of Applications, Executive Administration, \$70,000.

(b) Reduction number 4, OIR Systems Expenditures, Executive Administration, \$200,000, and the appropriation of departmental revenue in Section 4 to the Department of Finance and Administration, Office for Information Resources, shall be adjusted if necessary to reconcile.

Item 5. Department of Economic and Community Development, reduction number 2, Business Development, \$3,061,200, as follows:

- (a) Administrative Services, \$271,700.
- (b) Business Services, \$44,600.
- (c) FastTrack Infrastructure and Job Training Assistance, \$2,744,900.

Item 6. Department of Education:

- (a) Reduction number 2, Extended Contracts, Career Ladder, \$5,000,000.
- (b) Reduction number 6, Coordinated School Health, Improving Schools Programs, \$4,900,000.
- (c) Reduction number 9, Internet Connectivity, Accountability and Assessment, \$1,000,000.

Item 7. Department of Labor and Workforce Development, reduction number 7, Adult Education Subgrants, Adult Basic Education, \$373,500.

Item 8. Military Department, reduction number 5, Administration, Division of Administration, \$353,500 for tuition assistance in the Air Guard.

Item 9. Department of Human Services:

- (a) Reduction number 6, Vocational Rehabilitation Tuition Means Test, Division of Vocational Rehabilitation, \$600,000.
- (b) Reduction number 7, Family Services Counseling, Family Assistance Services, \$2,000,000.

Item 10. Tennessee Bureau of Investigation, reduction number 3, Investigation and Forensic Services, \$2,989,600.

SECTION \_\_\_\_\_. The appropriations in Sections 1 and 4 of this act hereby are reduced in the following amounts for the purposes stated in this section, and the Commissioner of Finance

and Administration is authorized to adjust federal and other departmental revenues and authorized positions accordingly:

Item 1. To the TennCare Program in Section 1, Title III-26, \$11,799,600 non-recurring to recognize the non-recurring enhanced federal match revenue pursuant to U.S. Public Law 111-5 American Recovery and Reinvestment Act of 2009. The appropriation to TennCare of \$29,863,400 (\$41,663,000 recurring and negative \$11,799,600 non-recurring) is contingent upon passage of Senate Bill No. 2357/House Bill No. 2389 provisions raising the HMO tax.

Item 2. To the Department of General Services, in Section 4, Title III-2, Item 4.4, the sum of \$5,400,000 relative to reduced motor vehicle purchases.

Item 3. The appropriations in Section 1, Title III-26, Department of Finance and Administration – TennCare Program, hereby are reduced in the amount of \$59,500,000 (non-recurring) for the purpose of recognizing an increase in the enhanced federal match revenue, and the federal aid appropriations in Section 4, Title III-26 hereby are increased in the amount of \$59,500,000.

AND FURTHER AMEND by deleting all of the language in Section 1, Title III-10, of the printed bill, and substituting instead the following:

10. Higher Education

1. Administration and Support Services

1.1	Tennessee Higher Education Commission .....	\$	2,184,000.00
1.2	Contract Education .....		2,289,700.00
1.3	Tennessee Student Assistance Awards .....		49,362,500.00
1.4	Tennessee Student Assistance Corporation .....		1,235,200.00
1.5	Loan/Scholarship Programs .....		1,191,000.00
1.6	Foreign Language Institute .....		346,800.00
1.7	THEC Grants .....		2,436,500.00
	Total Administration and Support Services.....	\$	59,045,700.00

2. Excellence Initiatives

2.1	Academic Scholars Program.....	\$	401,800.00
2.2	Centers of Excellence .....		19,635,500.00
2.3	Campus Centers of Emphasis.....		1,429,600.00
	Total Excellence Initiatives.....	\$	21,466,900.00

3. University of Tennessee System

3.1	Administrative and Other Services		
	a. UT University-Wide Administration.....	\$	4,214,900.00

	b. UT Institute for Public Service .....	5,020,500.00
	c. UT Municipal Technical Advisory Service .....	2,762,500.00
	d. UT County Technical Assistance Service .....	1,616,400.00
	e. UT Access and Diversity Initiative .....	6,485,900.00
	f. UT Space Institute .....	8,323,800.00
	g. UT Research Initiatives .....	11,180,300.00
	Subtotal Administrative and Other Services .....	\$ 39,604,300.00
3.2	Agricultural Services	
	a. UT Agricultural Experiment Station .....	\$ 25,274,200.00
	b. UT Agricultural Extension Service .....	30,315,300.00
	c. UT Veterinary Medicine .....	16,684,900.00
	Subtotal Agricultural Services .....	\$ 72,274,400.00
3.3	Medical Education	
	a. UT Health Science Center .....	\$ 71,501,900.00
	b. UT Family Medicine .....	10,234,400.00
	c. UT College of Medicine .....	49,566,800.00
	Subtotal Medical Education .....	\$ 131,303,100.00
3.4	University Campuses	
	a. UT Chattanooga .....	\$ 45,786,700.00
	b. UT Knoxville .....	194,410,500.00
	c. UT Martin .....	33,040,000.00
	Subtotal University Campuses .....	\$ 273,237,200.00
	Total University of Tennessee System .....	\$ 516,419,000.00
4.	Tennessee Board of Regents System	
4.1	Administration and Other Services	
	a. Tennessee Board of Regents .....	\$ 4,399,700.00
	b. Regents Access and Diversity Initiative .....	11,456,400.00
	Subtotal Administration and Other Services .....	\$ 15,856,100.00
4.2	Medical Education	
	a. ETSU College of Medicine .....	\$ 29,184,300.00
	b. ETSU Family Practice .....	5,719,000.00
	Subtotal Medical Education .....	\$ 34,903,300.00
4.3	Regional Universities	
	a. Austin Peay State University .....	\$ 35,938,600.00
	b. East Tennessee State University .....	62,684,700.00
	c. University of Memphis .....	122,726,400.00
	d. Middle Tennessee State University .....	100,072,000.00
	e. Tennessee State University .....	42,175,100.00
	f. Tennessee Technological University .....	48,949,800.00
	Subtotal Regional Universities .....	\$ 412,546,600.00
4.4	Community Colleges	
	a. Southwest Tennessee Community College .....	\$ 40,093,000.00
	b. Nashville State Technical Community College .....	16,256,200.00
	c. Pellissippi State Technical Community College .....	21,935,400.00
	d. Northeast State Technical Community College .....	13,150,900.00
	e. Chattanooga State Technical Community College .....	25,002,000.00
	f. Cleveland State Community College .....	10,848,900.00

	g. Columbia State Community College.....	14,029,300.00
	h. Dyersburg State Community College .....	7,588,500.00
	i. Jackson State Community College.....	13,099,100.00
	j. Motlow State Community College.....	10,905,500.00
	k. Roane State Community College .....	19,090,800.00
	l. Volunteer State Community College.....	19,166,600.00
	m. Walters State Community College.....	19,373,100.00
	Subtotal Community Colleges .....	\$ 230,539,300.00
4.5	Tennessee Technology Centers .....	\$ 53,824,400.00
4.6	Agricultural Centers	
	a. TSU McMinnville Center .....	\$ 534,900.00
	b. TSU Institute of Agricultural and Environmental Research	2,188,300.00
	c. TSU Cooperative Education .....	1,940,500.00
	Subtotal Agricultural Centers .....	\$ 4,663,700.00
	Total Tennessee Board of Regents System .....	\$ 752,333,400.00
5.	Lottery-Funded Programs	
5.1	Lottery for Education Account .....	\$ 289,100,000.00
	Total Lottery-Funded Programs .....	\$ 289,100,000.00
	Total Title III-10 .....	\$ 1,638,365,000.00

AND FURTHER AMEND by deleting from Section 38 of the printed bill all of the words and figures from the words "Higher Education" through the words and figures "Total Higher Education ..... \$ 58,625,900.00" and substituting instead the following:

#### Higher Education

1.	State Administered Programs	
1.1	Centers of Excellence .....	\$ 861,000.00
1.2	Campus Centers of Emphasis .....	84,700.00
	Sub-Total.....	\$ 945,700.00
2.	University of Tennessee System	
2.1	UT University –Wide Administration.....	\$ 0.00
2.2	UT Institute for Public Service .....	31,100.00
2.3	UT Municipal Technical Advisory Service .....	49,800.00
2.4	UT County Technical Assistance Service.....	31,300.00
2.5	UT Access and Diversity Initiative .....	227,000.00
2.6	UT Space Institute .....	175,400.00
2.7	UT Agricultural Experiment Station .....	427,700.00
2.8	UT Agricultural Extension Service .....	440,300.00
2.9	UT Veterinary Medicine .....	284,800.00
2.10	UT Health Science Center .....	292,500.00
2.11	UT Family Medicine .....	173,400.00
2.12	UT College of Medicine.....	1,059,500.00
2.13	UT Chattanooga .....	1,955,700.00
2.14	UT Knoxville.....	8,333,700.00
2.15	UT Martin.....	1,417,100.00

Sub-Total.....		\$ 14,899,300.00
3.	Tennessee Board of Regents System	
3.1	Southwest Tennessee Community College.....	\$ 848,400.00
3.2	Nashville State Technical Community College .....	357,000.00
3.3	Pellissippi State Community College.....	475,900.00
3.4	Northeast State Community College .....	273,000.00
3.5	Regents Access and Diversity Initiative.....	401,200.00
3.6	Tennessee Board of Regents .....	0.00
3.7	TSU McMinnville Center .....	10,400.00
3.8	TSU Institute of Ag. And Env. Research .....	44,700.00
3.9	TSU Cooperative Education.....	39,600.00
3.10	ETSU College of Medicine .....	483,900.00
3.11	ETSU Family Practice.....	89,900.00
3.12	Austin Peay State University .....	1,680,300.00
3.13	East Tennessee State University .....	2,639,200.00
3.14	University of Memphis.....	5,025,900.00
3.15	Middle Tennessee State University .....	4,486,300.00
3.16	Tennessee State University .....	2,170,400.00
3.17	Tennessee Technological University.....	1,978,200.00
3.18	Chattanooga State Community College .....	496,900.00
3.19	Cleveland State Community College.....	204,500.00
3.20	Columbia State Community College .....	296,800.00
3.21	Dyersburg State Community College .....	143,100.00
3.22	Jackson State Community College .....	266,100.00
3.23	Motlow State Community College .....	237,500.00
3.24	Roane State Community College.....	383,700.00
3.25	Volunteer State Community College .....	387,100.00
3.26	Walters State Community College .....	370,800.00
3.27	Tennessee Technology Centers .....	1,021,100.00
Sub-Total.....		\$24,811,900.00
Total Higher Education .....		\$ 40,656,900.00

### **Base Budget Restorations**

AND FURTHER AMEND by inserting the following between sections 59 and 60 of the printed bill and by renumbering the subsequent sections accordingly:

SECTION \_\_\_\_\_. In addition to the appropriations in Section 1 of this act, the following amounts are appropriated and certain non-recurring appropriations are reduced for the purpose of restoring base budget reductions that had been recommended in the 2009-2010 Budget Document and identified, as noted herein, in Volume 2 of the Budget, Base Budget Reductions. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenues and position authorizations accordingly. The amounts appropriated, in addition to the amounts in Section 1, and certain non-recurring appropriation reductions are:



Item 1. Department of Children's Services, an additional \$17,620,500 recurring, and the non-recurring appropriations are reduced by \$16,038,000, as follows, including the continued authorization of 361 existing positions:

(a) To restore reduction number 15, Group Homes, the sum of \$4,941,100 (recurring) is appropriated, the non-recurring appropriation is reduced by \$3,779,500, and 154 existing positions are authorized, thus eliminating the proposed reduction plan. Further, the sum of \$6,900 (recurring) and \$111,800 (non-recurring) is appropriated to TennCare, for the purpose of this item.

(b) To restore reduction number 16, Youth Development Center Beds, the sum of \$5,045,100 (recurring) is appropriated, the non-recurring appropriation is reduced by \$5,045,100, and 97 existing positions are authorized, thus eliminating the proposed reduction plan.

(c) To restore reduction number 17, Relative Caregiver and Other Contracts, the sum of \$2,818,200 (recurring) is appropriated, and the non-recurring appropriation is reduced by \$2,818,200, thus eliminating the proposed reduction.

(d) To restore reduction number 18, Administrative and Operational Staff, the sum of \$3,651,300 is appropriated, the non-recurring appropriation is reduced by \$3,651,300, and 110 existing positions are authorized, thus eliminating the proposed reduction plan. Further, the sum of \$1,157,900 (recurring) is appropriated to TennCare, and the non-recurring appropriation to TennCare is reduced by \$855,700.

Item 2. TennCare Program, to restore reduction number 11, Long-Term Care Eligibility Criteria, the sum of \$12,187,200 (non-recurring) is appropriated in addition to the appropriations in Section 1 of this act, and federal departmental revenue of \$34,936,800 is appropriated in addition to the amounts in Section 4, for the purpose of maintaining the program under current eligibility criteria.

Item 3. Department of Correction, Hardeman County Agreement – Whiteville, to restore reduction number 1, Population Management, the sum of \$12,043,400 (non-recurring) is

appropriated, it being the legislative intent to continue using the Whiteville facility in a phase-out period through December 2010.

AND FURTHER AMEND in Section 1, Title III-1 of the printed bill by deleting all of the language and figures in Item 3, Secretary of State, and by substituting instead the following:

3.	Secretary of State		
3.1	Secretary of State .....	\$	10,203,400.00
3.2	State Election Commission .....		1,666,200.00
3.3	Public Documents .....		390,200.00
3.4	State Library and Archives .....		8,567,700.00
3.5	Regional Library System .....		7,569,400.00
3.6	Registry of Election Finance .....		575,000.00
3.7	Economic Council of Women .....		193,500.00
3.8	Charitable Solicitations and Charitable Gaming .....		397,500.00
3.9	Ethics Commission .....		423,700.00
	Total Secretary of State. ....	\$	29,986,600.00

and by deleting all of the language and figures in Item 5, Comptroller of the Treasury,

and by substituting instead the following:

5.	Comptroller of the Treasury		
5.1	Division of Administration .....	\$	961,700.00
5.2	Office of Management Services .....		11,220,000.00
5.3	Division of State Audit .....		11,671,200.00
5.4	Division of County Audit .....		7,654,900.00
5.5	Division of Municipal Audit .....		2,010,500.00
5.6	Division of Bond Finance .....		521,200.00
5.7	Office of Local Government .....		1,226,100.00
5.8	Division of Property Assessments .....		8,903,100.00
5.9	Tax Relief .....		21,800,000.00
5.10	State Board of Equalization .....		2,406,000.00
5.11	Division of Local Finance .....		495,000.00
5.12	Offices of Research and Education Accountability .....		1,683,200.00
5.13	Office of State Assessed Properties .....		1,202,300.00
5.14	Telecommunications Ad Valorem Tax Equity Payments .....		14,327,900.00
	Total Comptroller of the Treasury .....	\$	86,083,100.00

#### **Additions to Budget / Supplemental Appropriations**

AND FURTHER AMEND by deleting in its entirety in Section 38 of the printed bill the following:

Judicial	
1. Indigent Defendants' Counsel	\$5,000,000.00

and by substituting instead the following:

Judicial

1. Indigent Defendants' Counsel	\$4,000,000.00
2. Guardian ad Litem	1,000,000.00
Total Judicial	\$5,000,000.00

AND FURTHER AMEND in Section 42 of the printed bill by adding the following new subsection:

(c) The provisions of this subsection (c) shall take effect upon becoming law, the public welfare requiring it. To municipalities and counties, \$100,000 is hereby appropriated to supplement the appropriation made in Section 42 (b), Chapter 1203, Public Acts of 2008. It is the legislative intent that such funds be divided and distributed to the various municipalities and counties as follows: fifty percent (50%) to municipalities on the basis of population and fifty percent (50%) to counties on the basis of population.

AND FURTHER AMEND the printed bill by adding the following Sections between Sections 59 and 60 of the printed bill and by renumbering the Sections accordingly:

SECTION\_\_\_\_. This section shall take effect upon becoming a law, the public welfare requiring it. In addition to the appropriations in Section 38 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues accordingly.

Item 1. From the unexpended balances of the appropriations in Section 1, Title III-22 of Chapter 1203, Public Acts of 2008, for Miscellaneous Appropriations, there hereby is reappropriated the sum of \$10,322,200 to support development of the Human Services ACCENT system.

Item 2. To the Department of Mental Health and Developmental Disabilities, the additional sum of \$1,800,000 to provide for clients awaiting transfer to Mental Retardation services.

Item 3. To the Department of Economic and Community Development, the additional sum of \$150,000 to support economic development district grants. There is appropriated the sum of \$150,000 for the same purpose in 2009-2010.

Item 4. To the Department of Commerce and Insurance, the additional sum of \$135,500 for firefighters pay supplement. There is further appropriated the sum of \$180,000 for the same purpose in 2009-2010, recognizing growth in the number of persons qualifying for the training incentive payment.

### **Additions to Budget**

SECTION \_\_\_\_\_. In addition to the appropriations in Section 1 of this act, except as otherwise provided herein, the following amounts hereby are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues and authorized positions accordingly:

Item 1. To Miscellaneous Appropriations in Section 1, Title III-22, the sum of \$3,700,000 (non-recurring) to fund a severance benefit plan for reduction-in-force separations occurring after April 1, 2009.

Item 2. To the Department of Mental Health and Developmental Disabilities, the sum of \$10,000,000 to support the behavioral health safety net.

Item 3. To the Department of Economic and Community Development, the sum of \$5,000,000 (non-recurring) to be earmarked from FastTrack revenues and reserves to fund an advanced manufacturing technology education center.

Item 4. Energy Efficiency and Clean Energy Technology Initiatives. In addition to the appropriations in Section 4 of this act, the following amounts hereby are appropriated to the Department of Economic and Community Development for the state's energy efficiency and clean energy technology initiatives. The Commissioner of Finance and Administration is authorized to allocate these appropriations to the appropriate programs and other agencies and for capital outlay, as he deems appropriate, and to adjust federal and other departmental revenue estimates accordingly. The appropriations are for the following purposes and in the following amounts:

(a) Volunteer State Solar Initiative, to the Division of Energy, from the funds appropriated in sections 4 and 39(b), the sum of \$62,482,000 is earmarked from the state energy program federal grant provided pursuant to U.S. Public Law 111-5, American Recovery and Reinvestment Act of 2009. The solar energy initiative includes a Solar Institute at the Cherokee Farm site at the University of Tennessee in Knoxville and at Oak Ridge National Laboratory, a solar farm five-megawatt power generation demonstration project at the West Tennessee industrial mega-site in Haywood County, and other renewable energy activities approved by the U.S. Department of Energy.

(b) Energy efficiency plan implementation, to the Division of Energy, from the federal energy efficiency and conservation block grant appropriated in sections 4 and 39(b), the sum of \$13,818,200 is earmarked from the federal grant provided pursuant to U.S. Public Law 111-5, American Recovery and Reinvestment Act of 2009.

(c) From federal petroleum violation escrow funds, the following amounts are appropriated for the stated purposes, in addition to the amounts in section 4 of this act;

(i) To assist commercial and industrial businesses in implementing energy-efficiency improvements, the sum of \$15,000,000 to establish a low-interest revolving loan fund or to provide a grant to participate in a loan-fund consortium. Such direct-appropriation grant may be made to the Southeast Community Capital Corporation or other entity as determined by the Commissioner of Economic and Community Development and approved by the Commissioner of Finance and Administration; provided, however, that the state may recoup any unused loan-guarantee portion of the grant, it being the legislative intent that no more than \$5 million of the grant is for operating purposes and no less than \$10 million for loan guarantees.

(ii) For participation in a multi-state initiative with the U.S. Department of Energy to demonstrate electric vehicle technologies, the sum of \$5,000,000 for a grant.

(iii) For building codes training and materials for local government codes inspectors whose cities and counties update or have updated residential building codes to promote energy efficiency, the sum of \$500,000.

(iv) For other energy initiatives, the sum of \$15,000,000, and the Commissioner of Finance and Administration shall reduce the appropriations in Section 4 by the following amounts: Small Business Energy Loan Program, \$2,400,000, and Local Government Energy Loan Program, \$4,900,000. Provided, further, that the Commissioner of Finance and Administration is authorized to transfer the balance of petroleum violation escrow funds, estimated to be \$2,767,900, from the Department of Finance and Administration, state building energy loan program (energy management). Such other energy initiatives may include promotion of clean-energy technology workforce development, public awareness and education related to energy efficiency, community - or school-based energy-efficiency projects, and other clean-energy technology and energy-efficiency activities deemed appropriate by the Commissioner of Economic and Community Development.

Item 5. To the Cover Tennessee Health Care Programs, the sum of \$2,400,000 (non-recurring) to support the Cover RX program.

Item 6. To the Council of Juvenile and Family Court Judges, the sum of \$600,000 (non-recurring) to provide for juvenile mental health evaluations. This appropriation shall be available to implement Senate Bill 456 / House Bill 459, relative to reimbursement of counties for costs associated with mental health evaluations for juvenile courts.

Item 7. To the District Attorneys General, the sum of \$397,100 and to the Department of Human Services, the sum of \$27,400 to annualize the 2007-2008 step salary increase of assistant district attorneys.

Item 8. To the District Public Defenders, the sum of \$232,900 to annualize the 2007-2008 step salary increase of assistant public defenders.

Item 9. To the Department of Education, the sum of \$1,000,000 (non-recurring) for a grant to the Save the Children for literacy programs.

Item 10. To the Department of Tourist Development, the sum of \$3,500,000 (non-recurring) to support the advertising program.

Item 11. To the Department of Children's Services the sum of \$25,000 (non-recurring) for the sole purpose of making a grant in such amount to A Secret Safe Place for Newborns of Tennessee, Inc., to be used for programs, services, and operational expenses.

Item 12. To the Department of Health, the sum of \$2,000,000 (non-recurring) for a grant to Meharry Medical College for the "Wellness for Our Community...Fitness is Our Future" program for implementation at historically black colleges and universities in Tennessee.

Item 13. To fund a group health insurance premium adjustment effective January 1, 2010, the following sums are appropriated:

(a) To Miscellaneous Appropriations, the sum of \$7,709,300 for state agencies;

(b) To Higher Education, the sum of \$5,669,000; and

(c) To the Department of Education, the sum of \$13,512,000 for the Basic Education Program.

Item 14. To the Department of Correction, the sum of \$250,000 to support the Criminal Justice Coordinating Council.

Item 15. To the Advisory Commission on Intergovernmental Relations the sum of \$200,000 (non-recurring) for a regional jails feasibility study.

AND FURTHER AMEND in Section 52, Item 1, of the printed bill by deleting the figure "\$11,000,000" and substituting instead "\$3,000,000" and by inserting the following as a new section between sections 59 and 60 of the printed bill:

SECTION \_\_\_\_\_. In addition to the appropriation to the Department of Education in Section 1, Title III-9, Item 2.1(i), Early Childhood Education, there is appropriated the sum of \$8,000,000 from the education fund for the purpose of reducing the appropriation for pre-kindergarten programs from net lottery proceeds by that amount. Provided, further, that the appropriation of departmental revenue in Section 4, Title III-9, Item 8, Early Childhood Education, hereby is reduced by \$8,000,000.

### **Capital Outlay Appropriations**

AND FURTHER AMEND the printed bill by adding the following Section between Sections 59 and 60 of the printed bill and by renumbering the Sections accordingly:

SECTION \_\_\_\_\_. In addition to the capital outlay appropriations in Section 1, Title III-32 of this act, except as otherwise provided herein, the following amounts are hereby appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust departmental revenues accordingly:

Item 1. To the Department of Economic and Community Development, a sum of \$13,000,000 to fund the West Tennessee Mega-site Land and Development project.

Item 2. To the Department of Economic and Community Development, a sum of \$2,000,000 in federal transportation enhancement funds to establish a visitors center on Interstate 40 in Haywood County that will serve as a regional solar-energy education site.

Item 3. To the University of Tennessee-Veterinary Medicine, a sum of \$20,900,000 for the Veterinary Hospital renovation and addition project, to be funded from (a) National Academy-Level Faculty reserves (\$10,000,000); (b) institutional revenue and reserve (\$5,842,000); (c) federal ARRA grant (\$1,558,000); and (d) TSSBA and/or gifts (\$3,500,000).

Item 4. To the Wildlife Resources Agency, a sum of \$800,000 (non-recurring) for pre-planning expansion to state fish hatcheries. This appropriation shall be funded from general fund revenues and reserves. This appropriation is contingent upon acquisition of property for a fish hatchery by the Wildlife Resources Agency.

Item 5. To the Department of Military, there is hereby reappropriated the sum of \$476,000 from capital projects residual funds to provide the state match for \$720,000 in federal funds to perform four sustainable restoration modernization projects included in the American Recovery and Reinvestment Act of 2009 special military cooperative agreement for Tennessee.

### **Administration Bills**



AND FURTHER AMEND the printed bill in Section 1, Title III-22, Miscellaneous Appropriations by deleting the Item 23 in its entirety and by inserting the following as a new section between Sections 59 and 60 of the printed bill:

SECTION \_\_\_\_\_. Legislation. In addition to the appropriations in Sections 1 and 4 of this act, the following amounts hereby are appropriated, and such additional or lesser amounts indicated in fiscal notes on cited legislation hereby are appropriated, for the purpose of funding the costs of implementing the cited legislation. The Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal and other departmental revenues and authorized positions accordingly. The appropriation in each item of this section is subject to the bill cited in that item becoming a law.

Item 1. A sum sufficient for Senate Bill No. 2236 / House Bill No. 2249, relative to prohibition of handguns purchased by mentally ill and mentally defective persons.

Item 2. To the Department of Commerce and Insurance the sum of \$200,000 from departmental revenue for Senate Bill No. 2239 / House Bill No. 2289, relative to health insurance claims data. From the appropriations in this act to the Department of Finance and Administration, State Health Planning Division, the sum of \$200,000 is earmarked for the purpose of implementing the cited bill. Further, it is the legislative intent to recognize a decrease in departmental revenue of the Department of Commerce and Insurance, Division of Insurance, in an amount exceeding \$10,000, relative to annual fees of utilization review agents.

Item 3. The appropriations in Section 1, Title III-23, to the Department of Children's Services hereby are reduced by \$16,700, in recognition of Senate Bill No. 2254 / House Bill No. 2262, relative to child abuse review teams.

Item 4. To the Board of Probation and Parole, it is the legislative intent to recognize an increase in appropriations from dedicated application fees and to reduce the appropriation from the general fund in amounts of \$160,800, for Senate Bill No. 2271 / House Bill No. 2308, relative to supervised offenders transferred to another state through the interstate compact for supervision of adult offenders.

Item 5. To the Department of Health, Board for Licensing Health Care Facilities the sums of \$118,400 (recurring) and \$8,600 (non-recurring), funded by an estimated increase of \$20,000 in licensing fee revenue, from other departmental revenue, and from departmental revenue from the TennCare program, for Senate Bill No. 2275 / House Bill No. 2282, relative to adult care homes licensure and standards. Further, from the appropriations in sections 1 and 4 of this act to the TennCare program, a sum sufficient hereby is appropriated for purposes of the cited bill.

Item 6. To the Department of Financial Institutions the sums of \$233,000 (recurring) and \$6,400 (non-recurring) from an estimated increase in departmental revenue for Senate Bill No. 2279 / House Bill No. 2316, relative to mortgage loan originator licensing and industrial loan and thrift companies.

Item 7. To the Department of Correction, Sentencing Act of 1985, the sum of \$15,700 for incarceration costs of Senate Bill No. 2284 / House Bill No. 2296, relative to viatical settlements, a life-insurance regulatory activity of the Department of Commerce and Insurance.

Item 8. (a) To the Department of Commerce and Insurance, the sum of \$1,000,000, including \$22,500 non-recurring, from inspection fees for Senate Bill No. 2300 / House Bill No. 2318, relative to energy-efficiency and residential building inspections. (b) To the state office building and support facilities revolving fund, from its revenues, a sum sufficient is appropriated for purposes authorized by the bill cited in this item.

Item 9. To the Department of Commerce and Insurance, Division of Regulatory Boards, a sum sufficient from fees of the affected boards for Senate Bill No. 2310 / House Bill No. 2312, relative to Board of Funeral Directors and Embalmers, Home Inspection Licensing Program, Collection Service Board, and Tennessee Real Estate Commission.

Item 10. To the Department of Labor and Workforce Development, Employment Security Division, from federal revenue appropriated in Section 4, the sum of \$3,655,800 is earmarked to implement Senate Bill No. 2315 / House Bill No. 2324, relative to the unemployment insurance trust fund and related matters.

Item 11. To the Department of Revenue, the additional sums of \$1,570,000 (recurring) and \$630,000 (non-recurring) and, from the funds appropriated to the Department of Revenue in Section 1, Title III-18, the sum of \$50,000 (non-recurring), for Senate Bill No 2318 / House Bill No. 2275, relative to taxes, technical corrections, and related matters. Twenty-two positions are authorized.

Item 12. To the Miscellaneous Appropriations or the local government fund, the sum of \$1,200,000 for a state share of mandated local costs of implementing Senate Bill No. 2357 / House Bill No. 2389, the Omnibus Budget Reconciliation Act. From this amount, it is the legislative intent that the Commissioner of Finance and Administration apportion to the county revenue partnership fund, pursuant to Section 67-6-103(k) for distribution to counties on the basis of population an amount to fund a state share of the local cost of various children's services and mental health provisions of the cited bill, as indicated in the fiscal note.

Item 13. To the Department of Health a sum sufficient from dedicated fees, for Senate Bill 258 / House Bill 386, relative to regulation of commercial breeders of dogs and cats. The state share of the mandated local cost of this item shall be recognized from the increased local revenue generated from such act.

Item 14. To the Department of Economic and Community Development the sums of \$64,200 and \$3,000,000 (non-recurring) for Senate Bill No. 650 / House Bill 518, relative to a surety bond guarantee program for small and emerging businesses.

Item 15. There hereby is appropriated the sum of \$28,000 (non-recurring) for Senate Bill No. 1171 / House Bill No. 1410, relative to a special joint committee to study creation of a department of aging and adult services.

### **Other Amendments**

AND FURTHER AMEND the printed bill by adding the following section between Sections 59 and 60 of the printed bill and by renumbering the sections accordingly:

SECTION \_\_\_\_.

Item 1. The appropriations in Section 1, Title III-29, Facilities Revolving Fund, for the Swipe and Ride program hereby are reduced by \$500,000 and the Commissioner of Finance and Administration shall adjust departmental revenue accordingly.

Item 2. In addition to the appropriations in Section 1, Title III-22, Miscellaneous Appropriations, there hereby is appropriated the sum of \$500,000 to support the Swipe and Ride program to be administered by the Department of Transportation. The Commissioner of Finance and Administration shall adjust departmental revenues accordingly.

Item 3. There hereby is appropriated the sum of \$419,900 in the fiscal year beginning July 1, 2009, to the Department of Economic and Community Development for benefit of the Four Lakes Regional Development Authority. It is the legislative intent that this item continues in fiscal year 2009-2010 the recurring appropriation made in Public Acts of 2008, Chapter 1203, Section 10, Item 42, in the last two sentences of that item.

Item 4. The appropriation in Section 1, Title III-16, Item 2.5, to the Trauma System Fund is reduced by \$907,000 to reflect the revised tobacco tax revenue estimate.

### **Overappropriation and Reversion**

AND FURTHER AMEND by deleting in its entirety Item 1 in Section 43 of the printed bill and by substituting instead a new item 1 to read:

Item 1. It is the legislative intent to recognize a base recurring over-appropriation of \$100,300,000 and a TennCare reversion of \$20,000,000 in the general fund in 2008-2009 and a non-recurring reversion of \$470,955,200 in 2008-2009.

It is further the legislative intent to recognize an additional non-recurring reversion of \$41,200,000 in 2008-2009, under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill No. 2357 / House Bill No. 2389, if such bill becomes law.

It is further the legislative intent to recognize a base recurring over-appropriation of \$100,640,600 and a TennCare reversion of \$20,000,000 in the general fund in 2009-2010 and a non-recurring reversion of \$35,900,000 in 2009-2010.

### **Rainy Day Fund**

AND FURTHER AMEND in Section 47 of the printed bill by deleting in Item 1 the figure “\$685,400,000” and substituting instead the figure “\$586,500,000”, and by deleting in Item 2 the figure “\$750,000,000” and substituting instead figure “\$548,000,000”.

AND FURTHER AMEND the printed bill by inserting the following new sections between sections 59 and 60 of the printed bill:

**K-12 - BEP**

SECTION \_\_\_\_\_. Department of Education, Basic Education Program. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

(1) The state education fund appropriation to the Department of Education, Basic Education Program, in Public Acts of 2008, Chapter 1203, and in this act for fiscal year 2008-2009 is reduced by \$18,000,000 and for fiscal year 2009-2010 is reduced by \$20,400,000 (non-recurring in each fiscal year).

(2) In addition to the appropriations to the Department of Education, Basic Education Program, in Public Acts of 2008, Chapter 1203, and in this act there hereby is appropriated to the Basic Education Program from the federal funds provided by the state fiscal stabilization fund, pursuant to U.S. Public Law 111-5, American Recovery and Reinvestment Act, the sum of \$18,000,000 in fiscal year 2008-2009 and the sum of \$20,400,000 in fiscal year 2009-2010.

**Base Budget Personnel Reductions**

SECTION \_\_\_\_\_. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. From the appropriations in Public Acts of 2008, Chapter 1203, and in this act, a sum sufficient is appropriated to fund a severance plan to be used in conjunction with the base budget personnel reductions required by this act. A severance plan shall apply to all reduction-in-force separations occurring after April 1, 2009, that are required by the base budget reductions identified in the 2009-2010 Budget Document, as amended by this act, and also shall

apply to any other reduction-in-force separations that result from Executive actions to maintain state spending within available state revenues.

The severance benefit plan shall consist of:

(1) a base payment of \$3,200.

(2) college tuition assistance for 2 years to be capped at the average of the highest four-year public Tennessee college undergraduate level; provided, however, that such assistance shall only be provided for periods of actual attendance within a period of time to be determined by the Commissioner of Finance and Administration.

### **Reserve Taking**

SECTION \_\_\_\_\_. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to fulfill the essential function and constitutional responsibility of state government to orderly close fiscal year 2008-2009. Under the provisions of Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill 2357 / House Bill 2389, if such bill becomes a law, the Commissioner of Finance and Administration is authorized to deny carryforwards for and to transfer funds from the enumerated funds, reserve accounts, or programs to the state general fund for the sole purpose of meeting the requirements of funding state government for the fiscal year ending June 30, 2009, and for that purpose such funds hereby are appropriated to the general fund. Such transfers and carry-forward denials shall be according to the following schedule, to the extent funds are available in the reserves and considering the interests of the programs, as determined by the Commissioner of Finance and Administration:

Item 1. From the reserves for unencumbered balance and capital outlay that are not permanent statutory reserves, but excluding the TennCare reserve.

Item 2. From the statutory reserves enumerated in Tennessee Code Annotated, Section 4-3-1016, as amended by Senate Bill 2357 / House Bill 2389.

Item 3. From other reserves enumerated in this act and not subject to determination by the Commissioner of Finance and Administration, an amount to be determined, subject to approval of the controlling state officials.

Item 4. From the TennCare reserve.

Item 5. From the reserve for revenue fluctuations established by Tennessee Code Annotated, Section 9-4-211.

### **U.S. Economic Recovery Funds**

SECTION\_\_\_\_. The provisions of this section shall take effect upon becoming a law, the public welfare requiring it.

Item 1. There hereby is appropriated in fiscal years 2008-2009 and 2009-2010 from state fiscal stabilization funds available under U.S. Public Law 111-5, American Recovery and Reinvestment Act, a sum sufficient to fund appropriations made in Public Acts of 2008, Chapter 1203, and elsewhere in this act, to the extent that state revenue collections in either year are less than the budgeted estimates.

Item 2. Subject to grant-in-aid and audit requirements of U.S. Public Law 111-5, American Recovery and Reinvestment Act, the Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the 2009-2010 work program allotment schedule. If established, said departmental revenue estimates shall be in-lieu of appropriations made in Section 1 of this act from state fiscal stabilization funds in the amounts of \$337,492,900 for education and in the amounts of \$103,133,500 for general purpose (government services). Said appropriations in Section 1 of this act shall be reduced in amounts equal to federal grant-in-aid departmental revenue estimates established pursuant to this authority.

The Commissioner of Finance and Administration is authorized to establish federal grant-in-aid departmental revenue estimates in the fiscal year ending June 30, 2009. If established, said departmental revenue estimates shall be in-lieu of appropriations supported by state fiscal stabilization funds in the amount of \$100,334,800 for education.

### **Additional Amendments**

AND FURTHER AMEND the printed bill by deleting in their entirety the line-item appropriations in Section 1, Title III-30, Department of Transportation, and substituting instead:

1.	Administration		
1.1	Headquarters .....	\$	14,769,000.00
1.2	Bureau of Administration.....		43,148,000.00
1.3	Bureau of Engineering .....		19,805,000.00
1.4	Field Engineering.....		46,048,000.00
1.5	Insurance Premiums .....		9,000,000.00
1.6	Bureau of Environment and Planning.....		5,683,000.00
	Total Administration. ....	\$	138,453,000.00
2.	Equipment Purchases and Operations .....	\$	26,555,000.00
3.	Highway Maintenance .....	\$	278,792,000.00
4.	State Construction		
4.1	Highway Betterments.....	\$	10,000,000.00
4.2	State Aid .....		30,622,000.00
4.3	State Industrial Access.....		24,000,000.00
4.4	Local Interstate Connectors .....		5,000,000.00
4.5	Capital Improvements .....		4,200,000.00
	Total State Construction.....	\$	73,822,000.00
5.	Federal Construction		
5.1	Mass Transit .....	\$	43,649,000.00
5.2	Planning and Research.....		5,500,000.00
5.3	Interstate Construction.....		14,800,000.00
5.4	Forest Highways .....		200,000.00
5.5	State Highway Construction.....		146,954,000.00
5.6	Bridge Replacement .....		350,000,000.00
5.7	Air, Water, and Rail Transportation .....		64,000,000.00
	Total Federal Construction.....	\$	625,103,000.00
	Total Title III-30 .....	\$	1,142,725,000.00

AND FURTHER AMEND in Section 8 of the printed bill by inserting a new sub-section (c) in Item 27:

(c) Boilers and Elevators pursuant to Tennessee Code Annotated, Section 68-121-108, Section 68-121-117 and Section 68-122-205. Appropriations established under this authority shall be in-lieu of the departmental revenue appropriation in Section 4, Title III-13, Item 5 of this act.

AND FURTHER AMEND in Section 29, Item 21, of the printed bill by inserting a new paragraph to read:

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-138 through A-140 in the 2009-2010 Budget Document:



Austin Peay State University

Baseball Practice Building	\$	100,000
Steam and Chilled Water Update		1,100,000
Total APSU	\$	1,200,000

East Tennessee State University

HVAC System Repairs	\$	6,000,000
University High School Baseball Field		311,000
University High School Modular Classroom		110,000
College of Medicine Building 119 HVAC Repairs		750,000
Lucille Clement Renovation		5,300,000
Total ETSU	\$	12,471,000

Middle Tennessee State University

Feedwater and Boiler Distribution Updates	\$	1,480,000
Food Service Facility Improvements		6,980,000
Total MTSU	\$	8,460,000

Tennessee State University

Steam Infrastructure Repairs	\$	2,000,000
Total TSU	\$	2,000,000

Tennessee Technological University

Crawford Hall Roof Replacement	\$	270,000
Central Cooling Corrections - Phase 4		3,250,000
Strength and Conditioning Center		2,000,000
Tech Village Apartments Renovations		7,700,000
Total TTU	\$	13,220,000

University of Memphis

Music Building Stage Lift	\$	230,000
Old Law School Building HVAC Updates		4,750,000
Parking Improvements		800,000
Women's Fieldhouse Renovations		500,000
Student Housing		22,000,000
Total UOM	\$	28,280,000

Chattanooga State Technical Community College

Underground Piping Connections	\$	550,000
Total CSTCC	\$	550,000

Cleveland State Community College

L. Quinten Lane Gymnasium HVAC Update Phase 2	\$	490,000
Total CoSCC	\$	490,000

Columbia State Community College

Several Building HVAC Updates	\$	330,000
Total CoSCC	\$	330,000

Dyersburg State Community College

Roof Replacements	\$ 680,000
Total DSCC	\$ 680,000
<u>Jackson State Community College</u>	
Student Center Repairs and HVAC Updates	\$ 500,000
Total JSCC	\$ 500,000
<u>Motlow State Community College</u>	
Building Systems Equipment Replacement	\$ 320,000
Total MSCC	\$ 320,000
<u>Nashville State Technical Community College</u>	
ADA and Fire Codes Updates	\$ 420,000
Southeast Center Renovation	380,000
Modular and Entrance Improvements	520,000
Total NSTCC	\$ 1,320,000
<u>Northeast State Technical Community College</u>	
Campus Boiler Replacement	\$ 210,000
Total NESTCC	\$ 210,000
<u>Pellissippi State Technical Community College</u>	
Magnolia Campus Reroof	\$ 340,000
Total PSTCC	\$ 340,000
<u>Roane State Community College</u>	
Cumberland Business Incubator	\$ 1,170,000
Dunbar and Library HVAC Systems Update	1,640,000
Scott County Fitness Center	670,000
Scott County Pavilion	164,000
Total RSCC	\$ 3,644,000
<u>Southwest Tennessee Community College</u>	
Macon Cove Mechanical and Electrical Upgrade	\$ 600,000
Total STCC	\$ 600,000
<u>Volunteer State Community College</u>	
Wood Campus Center Roof Replacement	\$ 520,000
Rear Entrance Roadway	350,000
Total VSCC	\$ 870,000
<u>Walters State Community College</u>	
Humanities Corrections	\$ 1,000,000
Total WSCC	\$ 1,000,000
<u>Tennessee Technology Centers - Statewide</u>	
HVAC and Energy Cost Savings Projects	\$ 5,060,000
Total TTC Statewide	\$ 5,060,000
Total Tennessee Board of Regents	\$ 81,545,000

The Austin Peay State University project, Meacham Apartment Waste Line Replacement, listed on page A-138, in the amount of \$160,000 is deleted from the list.

The East Tennessee State University project, Downtown Clinic, listed on page A-138, in the amount of \$2,000,000 from institutional/auxiliary funds, is a TSSBA project.

The East Tennessee State University project, Burgin Dossett Parking Lot Reconfiguration, listed on page A-138, in the amount of \$430,000 is deleted from the list.

The East Tennessee State University project, College of Medicine Family Medical Center listed on page A-138, in the amount of \$7,750,000 from other funds, is a TSSBA project.

The University of Memphis project, Football Weight Room Addition, listed on page A-138, in the amount of \$4,000,000 is deleted from the list.

The University of Memphis project, Student Housing 400 Beds – Preplanning, listed on page A-139, in the amount of \$650,000 is deleted from the list.

The East Tennessee State University project, Parking Garage, listed on page A-117 of the 2008-2009 Budget Document in the amount of \$15,800,000 and amended per in Section 29, Item 21 of Chapter 1203, Public Acts of 2008, to \$21,500,000 is to be canceled.

AND FURTHER AMEND in Section 29 of the printed bill by adding the following new items:

Item \_\_\_\_\_. From the appropriations made in Section 1, Title III-10, Item 1 for administration and support services, the Commissioner of Finance and Administration is authorized to make appropriation transfers to implement an administrative reorganization between the Tennessee Student Assistance Corporation and the Tennessee Higher Education Commission.

Item \_\_\_\_\_. The provisions of this item are effective upon becoming a law, the public welfare requiring it. It is intent of the general assembly to facilitate the provision of financial assistance to unemployed persons seeking educational services who reside in

counties experiencing sustained high levels of unemployment. The governor may invoke the provisions of this item where he determines that a county is experiencing sustained high levels of unemployment. To be eligible to receive such aid, a person must be a resident of such county and unemployed as of the date of the declaration by the governor, or thereafter becomes unemployed, and is or has been eligible for unemployment compensation benefits. The Tennessee board of regents and University of Tennessee board of trustees shall each develop a means by which financial assistance is provided to individuals attending their respective institutions. It is the legislative intent that financial assistance provided by public higher education institutions pursuant to this item shall be limited to fees not covered by other scholarships or grants, including lottery scholarships and Pell grants, for which the individual is qualified to receive.

Item \_\_\_\_\_. From the funds appropriated in Section 1, Title III-10, to the University of Tennessee Agricultural Experiment Station, an amount of \$200,000 is earmarked for operational expenses.

Item \_\_\_\_\_. It is hereby declared to be the legislative intent that the staff of the Tennessee Higher Education Commission shall, in coordination with other relevant entities, conduct a study to determine the feasibility of the state obtaining the facilities, property and assets of Lambuth University. The review shall include, but not be limited to, the condition and value of physical structures and real property, value of other assets and the debt obligations of Lambuth University. The review shall also include an evaluation of the extent that the campus could be utilized to provide postsecondary instruction by one or more public institutions of higher education. The Tennessee Higher Education Commission shall report its findings, including a recommendation as to the feasibility of obtaining Lambuth University, any preconditions that should be met prior to the state obtaining the campus, and specific recommendations on academic programs or coursework that one or more public institutions of higher education would provide at the campus. Should the report recommend that the Lambuth University be obtained by the state, the appropriate governing board shall take action pursuant to its by-laws to adopt the report and commit to fulfilling any conditions outlined in the commission's recommendation.

The transaction will not become final unless and until the conditions have been met by the appropriate governing board and/or institution, the state building commission approves the acquisition of any real property, and the speakers of both the house of representatives and senate shall approve a budget expansion acknowledging the gift of funding sufficient to pay for the transaction.

AND FURTHER AMEND in Section 35 of the printed bill by adding the following item:

Item \_\_\_\_\_. To the Department of Economic and Community Development, in Section 1, Title III-8, from Community Development and Regional Grants Management to Economic Development District Grants to comply with the requirements of Chapter 521, Public Acts of 2007.

AND FURTHER AMEND in Section 36 of the printed bill by deleting Item 31 in its entirety and substituting instead:

Item 31. To the Department of Economic and Community Development for non-FastTrack economic development project grants made in the Business Development program.

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and substituting the following as a new Section 39:

SECTION 39: The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2009, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2009.

(a) There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2008-2009</u>	<u>2009-2010</u>
Commissions		
1. Commission on Aging and Disability	\$ 256,900	\$ 2,900,600
Agriculture		
1. Market Development	0	113,000

2. Forestry Operations	0	100,000
Total Agriculture	0	213,000
Education (K-12)		
1. Early Childhood Education	0	133,600
Financial Institutions		
1. Financial Institutions	78,600	78,600
Human Services		
1. Vocational Rehabilitation	0	456,300
Children's Services		
1. Family Support Services	0	146,000
GRAND TOTAL SECTION 39 (a)	\$ 335,500	\$ 3,928,100

The Commissioner of Finance and Administration is authorized to establish eighteen (18) full-time positions and to allocate them to the appropriate organizational units, including one (1) position in the Department of Financial Institutions and seventeen (17) positions in the Department of Human Services.

(b) From funds available from U.S. Public Law 111-5, the American Recovery and Reinvestment Act, there is hereby appropriated from federal funds and other departmental revenues the amounts hereinafter set out:

	<u>2008-2009</u>	<u>2009-2010</u>
Finance and Administration		
1. Volunteer Tennessee	\$ 0	\$ 600,000
Economic and Community Development		
1. Energy Division	0	33,339,200
Education (K-12)		
1. ESEA No Child Left Behind	0	83,178,800
2. Career and Technical Education Programs	0	370,000
3. Alvin C. York Institute	0	5,700
4. Tennessee School for the Blind	0	3,900
5. Tennessee School for the Deaf	0	3,500
6. West Tennessee School for the Deaf	0	1,100
Total Education (K-12)	0	83,563,000
Military		
1. Armories Maintenance	0	720,000
Health		

1. Communicable and Environmental Disease Services	0	2,950,800
Transportation		
1. State Highway Construction	0	2,000,000
GRAND TOTAL SECTION 39 (b)	\$ 0	\$ 123,173,000

AND FURTHER AMEND by deleting in its entirety Item 29 in Section 41 of the printed bill.

### **Fire Service and Codes Enforcement Academy**

AND FURTHER AMEND in Section 41 of the printed bill by inserting the following new items:

Item \_\_\_\_\_. In-lieu of the appropriation in Section 1, Title III-11, Item 2 of this act made to the Department of Commerce and Insurance, Fire Service and Codes Enforcement Academy, the Commissioner of Finance and Administration is authorized to establish a departmental revenue estimate funded by fire prevention revenues. The 2009-2010 estimate of general fund miscellaneous revenue listed on page A-11 shall be reduced in an amount equal to the departmental revenue estimate established pursuant to this authority.

Item \_\_\_\_\_. The capital outlay project for the Department of Transportation, New Region 2 Complex – Additional Sitework, listed on page A-137 of the 2009-2010 Budget Document, in the amount of \$1,000,000 is deleted from the list.

### **SECTION 44 Facilities Revolving Fund**

AND FURTHER AMEND in Section 44 of the printed bill by adding the following new items:

Item 1. The capital outlay project, Highway Patrol Regional Office – Planning, to be funded in the amount of \$300,000 from the Facilities Revolving Fund appropriation made in Section 4, Title III-28 of this act and listed on page A-154 of the 2009-2010 budget document, is deleted and there is hereby re-appropriated the sum of \$300,000 to renovate the Butler building facility, the Tennessee Highway Patrol regional office in Nashville.

### **Section 48 - TennCare**

AND FURTHER AMEND by deleting in its entirety Item 8 in Section 48 of the printed bill and by renumbering subsequent items accordingly.

AND FURTHER AMEND in Section 48 of the printed bill by inserting the following new items:

Item \_\_\_\_\_. Subject to the availability of funding at June 30, 2009, the Commissioner of Finance and Administration is authorized to carry forward into the fiscal year beginning July 1, 2009, any unexpended balances of appropriations made under Chapter 1203, Public Acts of 2008, for the Governor's Office of Children's Care Coordination and such funds as are carried forward are hereby re-appropriated to be expended in the 2009-2010 fiscal year.

Item \_\_\_\_\_. In the fiscal year ending June 30, 2010, there hereby is appropriated a sum sufficient from the TennCare reserve to provide state match for a federal grant to support the electronic health records initiative. Subject to approval of the federal grant application, the Commissioner of Finance and Administration is authorized to make appropriate transfers and to adjust federal aid and departmental revenue estimates accordingly.

Item \_\_\_\_\_. In addition to the appropriations in Section 4 of this act to the TennCare program, a sum sufficient hereby is appropriated from federal aid for the sole purpose of making payments for uncompensated care for trauma system services. This item is subject to enactment of an uncompensated care provision, relative to the trauma system, in Senate Bill 2357 / House Bill 2389, if such bill becomes a law. Provided, further, this item also is subject to the state's receiving approval of the federal Medicaid matching funds from the U.S. Centers for Medicare and Medicaid Services.

AND FURTHER AMEND the printed bill in Section 52, Item 2 by deleting the word "and" at the end of sub-item (f);

And by deleting the period at the end of sub-item (g) and inserting a semi-colon and the word "and"; and by inserting a new sub-item (h) to read:

(h) The award amount for an eligible student under the Tennessee HOPE dual enrollment grant shall be determined by the Tennessee Student Assistance Corporation.

### **Housekeeping Amendments**

AND FURTHER AMEND in Section 3, Item 2 of the printed bill by deleting the citation "Section 69-10-203" and substituting instead "Section 69-9-203"; and by deleting the citation "Title 69,



Chapter 10, Part 2” and substituting instead “Title 69, Chapter 9, Part 2” where it appears twice in the item.

AND FURTHER AMEND in Section 6, Item 9 of the printed bill by deleting the citation “Section 9-9-301” and substituting instead “Section 9-10-101”.

AND FURTHER AMEND in Section 8, Item 6(a) of the printed bill by deleting the citation “Section 36-6-413(b)(5) and substituting instead “Section 36-6-413(b)(2)”.

AND FURTHER AMEND in Section 8, Item 6(e) of the printed bill by deleting the citation “Section 67-4-606(a)(B)(9)” and substituting instead “Section 67-4-606(a)(9)”.

AND FURTHER AMEND in Section 8, Item 24(a) of the printed bill by deleting the citation “Section 40-39-201” and substituting instead “Section 39-13-709”.

AND FURTHER AMEND in Section 8, Item 36(b) of the printed bill by deleting the citation “Section 67-4-606(2)(B)” and substituting instead “Section 67-4-606(a)(2)(B)”.

AND FURTHER AMEND in Section 49, Item 2 of the printed bill by deleting the incomplete citation “Senate Bill No. \_\_\_\_ / House Bill No. \_\_\_\_” and substituting instead “Senate Bill No. 2357 / House Bill No. 2389”.

AND FURTHER AMEND in Section 58, Item 1 of the printed bill by deleting the incomplete citation “Senate Bill No. \_\_\_\_ /House Bill No. \_\_\_\_” and substituting instead “Senate Bill No. 2358 / House Bill No. 2390”.

AND FURTHER AMEND in Section 58, Item 2 of the printed bill by deleting the incomplete citation “Senate Bill No. \_\_\_\_ /House Bill No. \_\_\_\_” and substituting instead “Senate Bill No. 2358/House Bill 2390”.

AND FURTHER AMEND in Section 58, Item 5 of the printed bill by deleting the incomplete citation “Senate Bill No. \_\_\_\_ /House Bill No. \_\_\_\_” and substituting instead “Senate Bill No. 2357/House Bill No. 2389”.

AND FURTHER AMEND in Section 58, Item 6 of the printed bill by deleting the incomplete citation "Senate Bill No. \_\_\_\_ /House Bill No. \_\_\_\_" and substituting instead "Senate Bill No. 2290/House Bill No. 2264 or Senate Bill No. 2318 / House Bill No. 2275".

AND FURTHER AMEND in Section 7, Item 1 of the printed bill by deleting in the second paragraph the citation "Section 1, Title III-22, Item 21" and substituting instead "Section 1, Title III-22, Item 16".

AND FURTHER AMEND in Section 7, Item 12 of the printed bill by deleting the citation "Section 1, Title III-11, Item 11" and substituting instead "Section 1, Title III-11, Item 9".

AND FURTHER AMEND in Section 26, Item 7 of the printed bill by deleting the words "One Hundred Fifth" and substituting instead "One Hundred Sixth".

AND FURTHER AMEND in Section 37 of the printed bill by deleting the date "June 30, 2008" and substituting "June 30, 2009"; by deleting the citation "Chapter 603, Public Acts of 2007" and substituting "Chapter 1203, Public Acts of 2008"; by deleting the fiscal year designation "2008-2009" and substituting "2009-2010"; and by deleting the date "July 1, 2008" and substituting "July 1, 2009".

AND FURTHER AMEND in Section 38 of the printed bill by deleting in its entirety the last sentence in the section.

AND FURTHER AMEND in Section 41, Item 28 of the printed bill by deleting the date "June 30, 2010" and substituting "June 30, 2009".

AND FURTHER AMEND the printed bill in Sections 6, 8, 12, 29, 35 and 59 by numbering the items in sequence.

**AND FURTHER AMEND by requesting the appropriate Engrossing Clerk to delete the underlined explanatory headings in this amendment.**